

Application No. 09/156,276
Amendment dated January 21, 2004
Reply to Office Action of September 24, 2003

AMENDMENTS TO THE CLAIMS

1. (Cancelled)

2-6. (Canceled)

H 1. (Previously Presented) A medical instrument comprising at least one memory metal tube programmed for an effect selected from the group of effects consisting of memory effect and superelasticity and having in at least one section thereof a plurality of slots such that the slotted section is capable of expansion and contraction;

further comprising a delivery tube that surrounds at least the slotted section of the memory metal tube during delivery and which is partially removed from surrounding the slotted section of the memory metal tube by a relative longitudinal movement between the respective tubes;

wherein said memory metal tube has a distal end and wherein the slots in the memory metal tube extend to the distal end of the tube and have been programmed to change into inwardly extending bending hooks to define an internal gripper upon delivery from the delivery tube.

8-20. (Canceled)

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21. (Currently Amended) ~~The medical instrument of claim 1~~ A medical instrument
comprising at least one monolithic memory metal tube of single-piece wall construction
programmed for an effect selected from the group of effects consisting of memory effect and
superelasticity and consisting of a monolithic side-wall having two non-slotted, solid sections
and a slotted section therebetween and monolithic therewith having a plurality of slots formed
therein defining a retrieval basket wherein the slotted retrieval basket section is capable of
expansion and contraction to surroundingly contact, capture and retrieve at least one particle, and
wherein the two non-slotted, solid sections and slotted retrieval basket section
therebetween form an open passage ~~absent~~ that has no structure connected to the tube and
extending through the open passage to thereby enable the slotted retrieval basket section to
surroundingly contact, capture and retrieve the at least one particle.